

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

EASTMAN KODAK COMPANY,

Plaintiff,

v.

Case No. 1:12-cv-03109 (DLC)

RICOH COMPANY, LTD.,

Defendant

NOTICE OF RICOH'S MOTIONS IN LIMINE

PLEASE TAKE NOTICE that upon Ricoh Company, Ltd.'s ("Ricoh") Memorandum of Law in Support of its Motions *in Limine*, and the accompanying Declaration of Graham Pechenik and attached exhibits, Ricoh will move this Court, at the United States Courthouse, 500 Pearl Street, New York, New York, at a date and time to be determined by the Court, to issue an Order precluded Kodak from offering testimony and evidence regarding:

- (1) Ricoh's "violation" of the PLA;
- (2) Kodak's "harm" by any nonpayment of royalties by Ricoh;
- (3) Kodak's prior relationship with Pentax;
- (4) Pentax's and Ricoh's failure to pay royalties under the PLA;
- (5) Kodak's history and reputation in the photography industry;
- (6) Kodak's investments in R&D, inventions, and patent portfolio; and
- (7) Kodak's global licensing campaign;

And additionally, that Kodak be precluded from introducing:

- (8) irrelevant print-outs from third-party websites that cannot be authenticated;
- (9) expert opinions that were untimely disclosed by Kodak; and
- (10) testimony from its witness John Valens that exceeds the scope of the 30(b)(6) topics on which he was designated for deposition.

WHEREFORE, Ricoh requests that its Motions *in Limine* to be granted in all respects.

DATED: October 7, 2013

Respectfully submitted,

By /s/ David Eiseman

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**Admitted pro hac vice
Counsel for Defendant Ricoh Company, Ltd.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT, on the 7th day of October, 2013, I caused the above document to be served on all attorneys of record via electronic mail.

DATED: October 7, 2013

/s/ *Graham M. Pechenik*
Graham M. Pechenik